

# **Police Officers Commission on Standards & Training**

## **Meeting Minutes**

**December 4, 2008**

### **I. Call to order**

**Colonel Stephen M. McCartney called to order the regular meeting of the Police Officers Commission on Standards & Training (POST) at 10:07 a.m. on December 4, 2008 in RIMPA-Lincoln.**

### **II. Roll call**

**Colonel McCartney stated for the record that all POST members were present so no roll call is necessary. The following persons were present: Colonel Stephen M. McCartney, Chief George L. Kelley, III, Colonel Brendan Doherty, Chief Anthony Pesare, Chief Anthony J. Silva, Mr. Robert Driscoll, Mr. Richard B. Woolley, Esq., Officer David DelBonis, and Donna Lavallee.**

### **III. Welcome – Officer David DelBonis**

**Director Anthony Silva welcomed Officer David DelBonis of the Warwick Police Department. Colonel McCartney has graciously “loaned” him to the Academy as Class Training Officer for this current recruit class because of our short-staff situation.**

### **IV. Approval of the minutes**

**Colonel McCartney asked for approval of the minutes from the last meeting dated August 28, 2008. The minutes were approved following no further discussion. Chief Pesare made a motion to accept the minutes; Mr. Driscoll seconded the motion. After no further discussion and all in favor (5-0), the minutes were accepted.**

### **V. Update on Recruit Class 2009-I**

Officer DelBonis reported that there are 25 recruits in this current class with two sit-in candidates. “Day One” was this past Monday and the recruits seemed to be more disheveled than in the past classes. We did have a nice turnout as far as assistance from departments on “Day One” and Officer DelBonis thanked everyone for that. Other than that, no major problems to report to date.

#### **VI. Updates on the following:**

##### **“The Institution on Community Policing and Cultural Diversity”:**

This \$188,000 grant, which is called the “Kennedy Grant” began on September 1, 2008. There is a timeline to keep – The Director is in the process of doing a needs-assessment with the assistance of Roger Williams University. By January 1, 2009, a part-time coordinator will be needed to be hired for no more than 19 hours/week. Because of the State policy, this will need to go to a public hearing and that could take months and months. With the staffing shortage here at the Academy, this grant is going to be very difficult to get off the ground.

##### **Job Task Analysis:**

Director Silva stating this task is going very well. We received well over 1,000 responses. State Police and Providence Police are getting theirs done free of charge by piggy backing with us.

##### **Law enforcement Highway Safety Coordinator:**

This is the position which is federally funded with over \$300,000 in Federal monies. This position was eliminated from the RISP last year and we are looking to get it housed here. The public hearing was held and it was approved. We have not heard anything yet, although

**the Director was promised an e-mail by Friday. This will be a 40-hour/week employee.**

**Staff Vacancy:**

**In the past, because of the schedule of the Recruit Classes, we were budgeted \$18,000 in overtime. Obviously, this entire amount was removed from our budget and we have gone a year without any overtime. There are many days that entail 10-12 hour days and weekends due to the nature of the business. We are told to use comp time; however, David Ricciarelli has hundreds of hours accrued that he will never use. This is just an FYI.**

**Colonel Pesare stated that since we are partnering with Roger William University on the Kennedy Grant, can't we get them to help and filter through them as far as hiring a part-time coordinator. This would eliminate the State's public hearing, etc. The Director thought he may have to re-write the grant and transfer the entire grant there but is afraid we would lose sight of it. Colonel Pesare stated just to have them do the hiring of this coordinator. The Director will look into that further.**

**Policy Review:**

**Officer DelBonis has put a policy together on "Safety" which is still in the works so this item will be tabled to the next meeting.**

**Colonel McCartney stated that this grant could be a big seller to the Police Depts. It is on the agenda for the Strategic Planning meeting next week. The Director will put together an Advisory Committee to include Police Chiefs and people like Toby Ayers, etc.**

**VII. Training & Certification of Reserves/Special Officers**

Colonel McCartney stated that in the last two years, a number of communities along the waterfront use reserve officers for summer employment - many of the officer's training is questionable. The issue being is that they are used in a full time capacity with arrest powers. Legal counsel was sought and unless they have attended the Academy full time, they couldn't be used in the capacity with full arrest powers. Departments went into an uproar over this. The Colonel, Director Silva, and a few others went to Westerly to de-brief them on other models. The Trust has since brought this subject up again.

Chief Kelley asked that since the POST certified the Wyatt Detention Center's training program, what is preventing other agencies from saying we did it for one and not the other.

Chief Silva stated the bottom line is that a person needs to be certified to have full arrest powers. He also said that "Peace Officer" defined was amended by the legislature last year to include retired police officers who are sworn non-permanent members of the department.

Chief Silva asked to re-visit Item 4 again on the Agenda. He stated that for the record, after the last POST meeting, he requested, through Major Miech, that David Ricciarelli be elevated to Glen Shibley's spot. He asked Colonel Doherty if there is anything he can do. This money is in the budget because we have not replaced Glen Shibley.

VIII. Request from Attorney John D. Lynch, Jr. for policies, procedures, manuals, training materials, etc., relative to mental health

issues, etc.

Chief Silva stated we have received a request from Attorney Lynch for the above material and he contacted Mr. Woolley for his review before sending it out. This item is just for edification in case a civil suit presents itself in the future.

#### **IX. Discussion on Legal Counsel serving RIMPA**

Chief Silva stated that he received an e-mail from Major White that all legal matters should now go through Lisa Holly. Colonel Doherty then introduced Lisa Holly, who is now legal counsel for the Department of Public Safety. Lisa advises Colonel Doherty in his position of Director of Public Safety. Director Silva had concerns over who to report to on behalf of RIMPA- - Richard Woolley or Lisa Holly. Colonel McCartney suggested to continue to relate with Richard Woolley but to also advise Lisa Holly. Both Woolley and Holly agreed that they have a good working report and they would keep each other apprised. Colonel Doherty basically stated he just does not want to be in a position where he is blind-sided by anything.

Colonel Doherty then stated that he himself is resigning as a member of the POST and will appoint Lieutenant Ernest Quarry in his place. He believes it will be in the best interest of everyone because RIMPA comes under the Dept. of Public Safety and he doesn't ever want to be in a conflict with that.

Director Silva stated that the Statute states the Colonel of the State Police OR his designee so he really does not need to resign, just appoint a designee.

Chief Pesare added that he believes this would be in the best interest

of the Colonel.

Colonel Doherty further stated that he has enjoyed being a member of the POST but again, feels it is in everyone's best interest to assign someone in his place. He applauds the work done here but at some point, a decision may come across his desk and there will be a conflict.

Chief Kelley asked if it would have to be an appointment by the Governor and Mr. Woolley stated no, he can appoint a designee. The Colonel will send a formal letter designated Lieutenant Ernest Quarry.

Director Silva asked the Colonel about legal counsel again. He just wants to be sure everyone is on the same page and wants to be sure he reports what he is supposed to to the correct person. Colonel Doherty stated he would send an e-mail to clarify but to continue sending everything to Mr. Woolley. Mr. Woolley stated that he and Lisa Holly will keep each other informed at all times.

#### **VIII. Requested by Warwick Police Department:**

We have received a request from Warwick P.D. As everyone is aware, the POST approved a process for certification of all Tactical teams in the State. Warwick was the first department to request certification.

Colonel McCartney recused himself and turned the meeting over to Vice-chair Chief Kelley.

Chief Silva stated that he received a letter from Marc Santasieri of the Committee recommending Warwick. The Director stated everything was in order and recommends approval. A date should be set for review...certification is good for three years.

**Chief Pesare made a motion to approve Certification of Warwick P.D.'s Tactical team for three years. Chief Kelley seconded the motion. Motion carries, 4-0.**

**The meeting was turned back over to Colonel McCartney.**

#### **IX: Old Business:**

**Mr. Driscoll asked if Colonel Doherty, as Director of Public Safety, is in charge of the POST budget. He replied yes.**

**Director Silva was asked at a previous POST meeting to put together a policy regarding the Academy now falling under the Dept of Public Safety. He cannot seem to see where anything has changed and wonders if a policy is really necessary.**

**Colonel Doherty replied stating that this agency really only encompasses about 5% of Public Safety. Our budget issues are fine.**

**Colonel McCartney stated that given today's discussion, is a policy really necessary**

**Chief Pesare stated he didn't see any issues and everything seemed to be resolved today so no policy needed.**

**Director Silva spoke on graduation and we would try to make it a little shorter. The March graduation will be pushed up to begin at 12:00 noon and asked Colonel McCartney if he could take 45 minutes away from Career Panel. The Colonel stated two hours is sufficient time for the Career Panel.**

**Colonel McCartney asked if there was any New business; herein none, we will adjourn the meeting.**

#### **X. ADJOURMENT**

**Chief Pesare made a motion to adjourn the POST meeting of December 4 2008. Mr. Driscoll and Chief Kelley seconded the motion. Meeting was adjourned at 11:15a.m.**

**Minutes submitted by: Donna M. Lavallee**